

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:22-CR-106-TAV-JEM
)	
CORY J. DAVIS,)	
)	
Defendant.)	

SHOW CAUSE ORDER

This case is before the Court on Defendant’s Motion to Suppress and Request for Hearing, filed on July 28, 2023 [Doc. 34]. *See* 28 U.S.C. § 636(b). Defendant’s motion generally alleges that the search warrant affidavit fails to establish probable cause that “criminal evidence” would be found in his apartment [Doc. 34 p. 3]. The Government timely responded on August 7, 2023, observing that Defendant’s motion fails to state any specific deficiency with the probable cause in the affidavit supporting the search warrant [Doc. 35 p. 1]. The undersigned agreed with that assessment, finding that affidavits filed in support of a search warrant are presumed valid and that Defendant shouldered the burden of demonstrating a factual and/or legal basis for suppression of evidence [Doc. 36 p. 1].

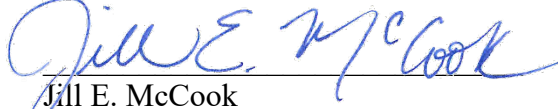
Accordingly, the undersigned ordered Defendant to file a reply brief (1) specifying the reasons that the affidavit fails to provide probable cause and the specific case law supporting his arguments and (2) responding to the Government’s argument that law enforcement relied on the search warrant in good faith [*Id.* at 1–2]. *See* E.D. Tenn. L.R. 7.1(c) (providing that reply briefs are not required “[u]nless otherwise stated by the Court”). The Court ordered that Defendant file his reply brief on or before August 17, 2023 [Doc. 36 p. 2]. *See* E.D. Tenn. L.R. 7.1(a)

(permitting reply briefs to be filed seven (7) days after service of the response). That date has passed with Defendant filing neither a reply brief as ordered, nor a request for extension of the time in which to do so.

Defendant is **ORDERED TO SHOW CAUSE** why the undersigned should not recommend the denial of his motion based upon his failure to pursue it by not submitting a reply brief as ordered by the undersigned on August 10, 2023 [Doc. 36]. Defendant's response to this show cause order **SHALL BE FILED** on or before **September 1, 2023**.

IT IS SO ORDERED.

ENTER:


Jill E. McCook
United States Magistrate Judge